

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DESHAWN DRUMGO, SR.,

Plaintiff,

v.

SERGEANT FUNK, *et al.*,

Defendants.

No. 3:20-CV-01829

(Chief Judge Brann)

(Chief Magistrate Judge Mehalchick)

**ORDER**

**FEBRUARY 27, 2023**

Deshawn Drumgo, Sr. filed this civil rights complaint alleging that his rights have been violated by numerous defendants.<sup>1</sup> Drumgo has filed a motion for a temporary restraining order, along with a motion to appoint counsel.<sup>2</sup> On January 26, 2023, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that this Court deny Drumgo's motions.<sup>3</sup> No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.<sup>4</sup> Regardless of whether objections are made, district courts may accept, reject, or modify—in whole or in part—the

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<sup>1</sup> Doc. 1.

<sup>2</sup> Docs. 47, 65.

<sup>3</sup> Doc. 68.

<sup>4</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

findings or recommendations made by the magistrate judge.<sup>5</sup> Upon review of the record, the Court finds no error in Chief Magistrate Judge Mehalchick's conclusion that Drumgo's motions should be denied. Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehalchick's Report and Recommendation (Doc. 68) is **ADOPTED**;
2. Drumgo's motion for a TRO (Doc. 47) and motion to appoint counsel (Doc. 65) are **DENIED**; and
3. This matter is **REMANDED** to Chief Magistrate Judge Mehalchick for further proceedings.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
United States District Judge

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<sup>5</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.